

**REMARKS**

Reconsideration and allowance of the claims pending in the application are requested.

**I. Status of the Claims**

Claims 1-42 are pending in the application, as follows:

1. Claims 19-31, 40 and 41 are allowed.
2. Claims 1, 11, 33 and 36-39 have been objected to for minor informalities.
3. Claims 5-18, 32 and 42 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claims 32 and 42 are rejected under 35 U.S.C. § 102(e) as being anticipated by US 6,853,294, issued February 8, 2005, filed July 26, 2000 to Ramamurthy et al. ("Ramamurthy").
5. Claims 5-18, 32 and 42 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph, set forth in this Final Office Action.

**II Response to the rejection under 35 U.S.C. § 112/2:**

Applicants respond to the indicated paragraphs of the Office Action, as follows:

**Paragraph 1:**

The Examiner's comments are noted. No response to the comments is believed to be necessary.

**Paragraph 2:**

Claims 1, 11, 33 and 36-39 have been amended to overcome the informalities by replacing the terms "capable of" with "configured for", which is well-known as a positive limitation. Withdrawal of the objection to claims 1, 11, 33 and 36-39 is requested.

Claim 1 has been further amended to describe the transponder is activated by a received transmission.

Claim 36 has been amended to further describe the medium in a computer system.

Claim 37 has been amended in the manner of claim 1.

Paragraph 3:

Claims 5-18 have been amended to further point out and distinctly claim the described subject matter and overcome the rejection. Withdrawal of the rejection under 35 U.S.C. § 12, second paragraph and allowance of claims 5-18, are requested.

Paragraph 4:

Claim 32 has been amended to delete the alleged indefinite term “may include”, to satisfy the requirements of MPEP 2173.05(d).

**III. Response to the rejection under 35 USC 102 (e)**

Paragraph 5:

Claim 32 has been rejected under 35 U.S.C. § 102 (e) as anticipated by Ramamurthy, of record. Applicants disagree. Claim 32 has been amended to describe an indication in the packet describing the location for processing the packet. There is no disclosure in Ramamurthy of an indication in the data format indicating the location for processing the data at a reader device or an alternate external destination for processing, as described in the specification at page 17, line 1 – 19. Ramamurthy transfer the contents of tag to an address by reading the tag and if the address is unknown by default to a generic processor. The Ramamurthy tag does not include an alternate address for the generic processor. Alternatively, a routing device described in Ramamurthy at column 6, lines 15-41 distributes the packets according to a table in the routing device.

The Examiner has also indicated in Paragraph 7 that claim 32 is allowable if rewritten or amended to overcome the 112 rejections. Claim 32 has been amended to overcome the rejections, as discussed in the consideration of Paragraphs 3 and 4.

Allowance of claim 32 is requested.

Claim 42 has been cancelled without prejudice for possible future prosecution.

Paragraph 6/7:

Applicants have amended 5 and 32 as discussed above in Paragraph 3 above to overcome the 112, second paragraph, rejections.

Patentability Support for New Claims 43-44

Claims 43-44 are based on claim 19 which is allowed. Claims 43-44 describe the apparatus for implementing the process of claim 19. Claim 19 stands allowed. Entry of claims 43-44 and allowance thereof are requested.

Claims 1 – 41, 43, 44 are allowed or in condition for allowance.

**CONCLUSION:**

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection; entry of the amendment; allowance of claims 1-41, 43-44 and passage to issue of the application.

**AUTHORIZATION:**

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 4208-4134.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 4208-4134.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

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By: /Joseph C. Redmond, Jr./

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